

**REMARKS**

The Applicants respectfully request further examination and consideration in view of the above amendments and the arguments set forth fully below. Prior to this Office Action, Claims 1-11 and 13-20 were pending in this application. Within the Office Action, Claims 1-10, 13-16 and 18-20 were rejected, and Claims 11 and 17 were objected to. By the above amendment, Applicants have amended Claims 1, 6, 15 and 20. Therefore, Claims 1-11 and 13-20 are currently pending in this application.

**Rejections Under 35 U.S.C. § 112**

Within the Office Action, Claim 20 has been rejected under 35 U.S.C. § 112. It is stated within the Office Action that Claim 20 contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled that the inventors, at the time the application was filed, had possession of the claimed invention; namely that the remote device has a male plug and the electronic device has a female jack. The Applicants respectfully disagree.

Figures 1b, 3c, 4a and 4b each illustrate a headphone connector interface, respectively, as having a circular opening 414, 514, 614, respectively. The circular opening 414 of the invention receives the headphone connector 99. This is shown in Figure 3a. In addition, it is common knowledge to those skilled in the art that a circular opening receives a plug that has a corresponding circular shape. Thus, as illustrated in Figures 3a and 3c, it is in the common knowledge of a person skilled in the art that the plug of the jack 99 is inserted into the interface 414. A circular opening 414 of the headphone connector interface, shown in Figures 1b, 3c, 4a and 4b, is commonly known by those skilled in the art as a “female” jack. This definition is evidenced in *The American Heritage® Dictionary of the English Language, Fourth Edition* which defines “female” as “[h]aving a recessed part, such as a slot or receptacle, designed to receive a complementary male part.”

Similarly, the plug of the headphone connector 99 has a circular shape that corresponds to the female jack of the headphone connector interface 414 such that the plug is able to be inserted into the interface 414. Such a plug is commonly termed as a “male” plug. This is evidenced in *The American Heritage® Dictionary of the English Language, Fourth Edition* which defines “male” as “[d]esignating an object, such as an electric plug, configured for insertion into a recessed part or socket.” Thus, the specification and claims of the present application reasonably

conveys to a person skilled in the art that the Applicants had possession of a female jack and a male plug at the time of filing the present patent application. Therefore, considering the illustrations in Figures 1b, 3c, 4a and 4b of the present application as well as the well-known definitions of “male” and “female” connectors, the specification of the present invention adequately teaches a “male” plug and a “female” jack, as claimed in Independent Claim 20. For at least these reasons, Claim 20 is adequately supported by the specification of the present invention.

**Rejections Under 35 U.S.C. § 102(b)**

Within the Office Action, Claims 1-3, 5-8, 13-15 and 18-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,504,812 to Vangarde (hereinafter “Vangarde”). Specifically, it is stated within the Office Action that Vangarde discloses a headphone support element 24 for securing a headphone connector 24 to a headphone connector interface 26 on an electronic device 12 where the headphone has a first receptacle (the receptacle or the space for the leaf spring portion) and a second receptacle (the rectangular housing for the wires). Applicants respectfully traverse.

Vangarde discloses a headset 10 for use with a radiotelephone 12, whereby the headset 10 has a headset detect circuit 33 which determines when the headset connector 24 has been plugged into the radiotelephone’s jack 26. (Vangarde, Abstract). In addition, Vangarde discloses that the headset 10 connects to the radiotelephone 12 through a cord 22 having a connector 24 that mates with the jack 26 in the radiotelephone 12. (Vangarde, col. 1, lines 57-59). As shown in Figure 1, Vangarde teaches a two-part system including a rectangularly shaped male plug and a corresponding rectangularly shaped female receptacle. Due to the rectangular shape of these elements, the problem solved by the instant invention is not even present in Vangarde.

In contrast to Vangarde, the present invention is a headphone support element that is coupled with a circular headphone connector interface, whereby the headphone support element engages and secures a circular headphone connector when the headphone connector is connected to the headphone connector interface. Since the headset connector 24 in Vangarde is rectangular in shape, Vangarde does not teach a circular headphone connector interface nor a circular headphone connector, as in the present invention.

Amended Independent Claim 1 is directed to a headphone support element for securing a headphone connector having one circular plug to a headphone connector interface having a corresponding jack wherein the plug is inserted into the jack, the headphone support element

coupled with the headphone connector interface, wherein the headphone support element having a first receptacle for engaging and securing the headphone connector, wherein the headphone connector cannot move or rotate when connected to the headphone connector interface. As stated above, Vangarde teaches a rectangularly shaped male plug and a corresponding rectangularly shaped female receptacle. Vangarde does not envision, contemplate, teach, hint or suggest a headphone support connector interface for a headphone connector having a circular construction. For at least these reasons, the Independent Claim 1 is not anticipated by Vangarde. Therefore, Independent Claim 1 is in a condition for allowance.

Claims 2, 3 and 5 are all dependent on the independent Claim 1. As stated above, Claim 1 is allowable over the teachings of Vangarde. Accordingly, Claims 2, 3, and 5 are all also allowable as being dependent upon an allowable base claim.

Independent Claim 6 has also been rejected as being anticipated under Vangarde. Amended Independent Claim 6 is directed to an electronic device having a circular headphone connector interface for accepting a corresponding circular headphone connector, the electronic device comprising: a headphone support element coupled with the headphone connector interface, the headphone support element having a first receptacle for engaging and securing the headphone connector within, the headphone support element having a first side and a second side, wherein the headphone connector cannot move or rotate when connected to the headphone connector interface. As stated above, Vangarde teaches a rectangularly shaped male plug and a corresponding rectangularly shaped female receptacle. Vangarde does not envision, contemplate, teach, hint or suggest a headphone connector interface nor a headphone connector having a circular construction. For at least these reasons, the Independent Claim 6 is not anticipated by Vangarde. Therefore, Independent Claim 6 is in a condition for allowance.

Claims 7 and 8 are all dependent upon the independent Claim 6. As stated above, Claim 6 is allowable over the teachings of Vangarde. Accordingly, Claims 7 and 8 are all also allowable as being dependent upon an allowable base claim.

Independent Claim 15 has also been rejected as being anticipated under Vangarde. Independent Claim 15 has been amended to recite a method for securing a circular headphone connector to a corresponding circular headphone connector interface, comprising the steps of: providing a headphone support element; and coupling the headphone support element to the headphone connector interface, wherein the headphone support element includes a first receptacle for engaging and securing the headphone connector to the headphone connector interface thereby preventing the headphone connector from moving or rotating when connected

to the headphone connector interface. Again, Vangarde teaches a rectangularly shaped male plug and a corresponding rectangularly shaped female receptacle. Thus, Vangarde does not envision, contemplate, teach, hint or suggest a headphone connector interface nor a headphone connector having a circular construction. For at least these reasons, the Independent Claim 15 is not anticipated by Vangarde.

Claims 18 and 19 are all dependent on the independent Claim 15. As stated above, Claim 15 is allowable over the teachings of Vangarde. Accordingly, Claims 18 and 19 are all also allowable as being dependent upon an allowable base claim.

Independent Claim 20 has also been rejected as being anticipated under Vangarde. Amended Independent Claim 20 is directed to a system for coupling a remote device having a circular male plug to an electronic device having a corresponding circular female jack, wherein the remote device is electrically coupled to the electronic device by inserting the male plug into the female jack, the system comprising a support element mounted to the electronic device such that the support element mechanically engages the male plug and prevents the male plug from rotating relative to the female jack. As stated above, Vangarde teaches a rectangularly shaped male plug which fits into a corresponding rectangularly shaped female receptacle in the telephone. Thus, Vangarde does not envision, contemplate, teach, hint or suggest a headphone connector nor a headphone connector interface having a circular construction. For at least these reasons, the Independent Claim 20 is not anticipated by Vangarde.

#### **Rejection Under 35 U.S.C. § 102(e)**

Within the Office Action, Claims 1, 4-5 and 9 have been rejected under 35 U.S.C. § 102(e) as being anticipated in view of U.S. Patent No. 6,091,832 to Shurman et al. (hereinafter "Shurman"). Specifically, it is stated within the Office Action that Shurman discloses a headphone support element 58, 60 made of elastic material and for securing a headphone connector 88 to a headphone connector interface on an electronic device (headset). The Applicants respectfully traverse.

The Shurman reference discloses a personal audio apparatus which includes a U-shaped loop member 50 having side support members 58, 60. (Shurman, Abstract). Shurman discloses a plurality of sets of quick-connect interface ports 82 disposed around the loop member 50 to selectively receive a plurality of external audio transducer modules 88. (Shurman, Abstract). Particularly, Shurman discloses that each quick-connect interface port 82 has two receiving holes

for receiving two corresponding external pins 84, 86 of each module 88. (Shurman, col. 2, lines 41-47).

In contrast to the present invention, Shurman does not teach a headphone connector having one circular plug which inserts into a corresponding jack of the headphone connector interface. Instead, Shurman teaches the transducer module 88 having two external pins 84, 86 which are inserted into the two corresponding jacks of the interface port 82. In addition, since Shurman teaches the transducer module 88 having two pins 84, 86, there is no need in Shurman to utilize a headphone support element to prevent the transducer module 88 from moving or rotating when connected to the port 82. In other words, each of the pins 84, 86, once connected to their respective ports, prevent the transducer module 88 from moving or rotating. Thus, Shurman does not envision, contemplate, teach, hint or suggest the present invention.

Amended Independent Claim 1 is directed to a headphone support element for securing a headphone connector having one circular plug to a headphone connector interface having a corresponding jack wherein the plug is inserted into the jack, the headphone support element coupled with the headphone connector interface, wherein the headphone support element having a first receptacle for engaging and securing the headphone connector, wherein the headphone connector cannot move or rotate when connected to the headphone connector interface. As stated above, Shurman does not teach a headphone connector having one circular plug that is secured to a headphone connector interface having a corresponding jack wherein the one plug is inserted into the jack. Instead, Shurman teaches a transducer module 88 having two external pins 84, 86 which engage the transducer module 88 to two corresponding receiving ports 82. Thus, Shurman does not envision, contemplate, teach, hint or suggest a headphone support element for securing a headphone connector having one plug to a corresponding jack. For at least these reasons, Claim 1 is not anticipated by Shurman, and Claim 1 is, therefore, in a condition for allowance.

Claims 4-5 and 9 are all dependent on the independent Claim 1. As stated above, Claim 1 is allowable over the teachings of Shurman. Accordingly, Claims 4-5 and 9 are all also allowable as being dependent upon an allowable base claim.

#### **Rejection Under 35 U.S.C. § 103(a)**

Within the Office Action, Claims 10 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shurman. The Applicants respectfully traverse. Claim 10 is dependent on an Independent Claim 6. As stated above, Claim 6 is in a condition for allowance.

Accordingly, Claim 10 is also in a condition for allowance. In addition, Claim 16 is dependent on an Independent Claim 15. As stated above, Claim 15 is in a condition for allowance.

Accordingly, Claim 16 is also in a condition for allowance.

For the reasons given above, the Applicants respectfully submit that the Claims 1-11 and 13-20 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
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